

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

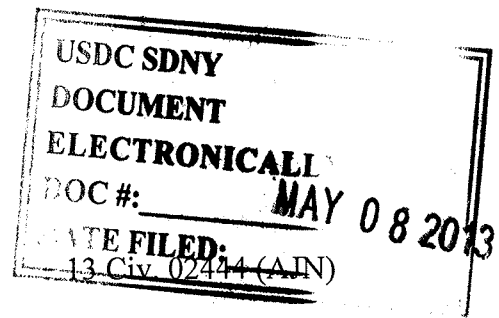
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BENJAMIN MESSINGER,

Plaintiff,

-v-

JP MORGAN CHASE BANK, N.A.,

Defendant.
-----X



ORDER

ALISON J. NATHAN, District Judge:

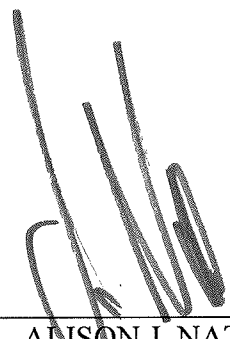
On May 3, 2013, Defendant JP Morgan Chase Bank, N.A., filed a motion to dismiss. Pursuant to Rule 3.F of this Court's Individual Practices in Civil Cases, on or before May 14, 2013, Plaintiff must notify the Court and his adversary in writing whether (1) he intends to file an amended pleading and when he will do so or (2) he will rely on the pleading being attacked. If Plaintiff elects not to amend his complaint, no further opportunities to amend will be granted and the motion to dismiss will proceed in the regular course. If Plaintiff chooses to amend, Defendant may then (a) file an answer; (b) file a new motion to dismiss; or (c) submit a letter stating that it relies on the initially-filed motion to dismiss.

Nothing in this Order alters the time to amend, answer or move provided by the Federal Rules of Civil Procedure or Local Rules.

The initial pretrial conference scheduled for June 21, 2013, is adjourned pending resolution of this motion.

SO ORDERED.

Dated: May 8, 2013
New York, New York



ALISON J. NATHAN
United States District Judge